

**SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS**

**Justice Assistance Grant (JAG) Program
Guidelines and Procedures**

I. Introduction

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to states and units of local government. The South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) has been designated as the State Administrative Agency (SAA) of the JAG Program for the state of South Carolina. The purpose of the JAG Program is to support state agencies and units of local government in carrying out specific programs, which offer a high probability of improving the criminal justice system. JAG funds may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice purposes. Eight authorized federal program areas define the nature and scope of eligible programs and projects. The program areas are as follows:

- A. Law enforcement programs
- B. Prosecution and court programs
- C. Prevention and education programs
- D. Corrections and community corrections programs
- E. Drug treatment and enforcement programs
- F. Planning, evaluation, and technology improvement programs
- G. Crime victim and witness programs (other than compensation)
- H. Mental health programs and related law enforcement and corrections programs

II. Eligible Applicants

The JAG Program is open to state agencies, local units of government, tribal governments, and non-profit agencies. A "local unit of government" is defined as any city, county, town, township or other political subdivision of a state.

In addition, the following points should be noted regarding eligible applicants:

- A. Police departments, sheriffs' offices and public defender's offices are not eligible to apply directly, but would be the implementing agency for the grant. A city or county would be the legal applicant/recipient and manage grant funds on behalf of the implementing department or agency.

B. State courts (courts of general jurisdiction) are eligible to apply for funds. However, local courts (magistrate and municipal courts) similar to police departments would have to apply through their local units of government.

C. A solicitor's office, for grant purposes, is funded as an office within a lead county.

The lead county must meet the following requirements:

- a. Maintain the financial records for the grant
- b. Include the solicitor's office in its payroll records; and
- c. Include the financial records of the grants to the solicitor's office in its organization-wide audit.

D. Information for the following individuals will be required on the Grant Application:

- a. Project Director – Implementing Agency/Department Head, or person involved in the daily operations of the project.
- b. Financial Officer - City or County Finance Director, or state agency Chief Financial Officer; and
- c. Official Authorized to Sign - Mayor, City or County Administrator, or state agency director

III. Funding Policy

Projects may be funded on a yearly basis for a period not to exceed three years, based on an annual evaluation of current-year grant performance. Exceptions to this policy are narcotics multijurisdictional task force (NMJTF) projects, regional multijurisdictional task force (RMJTF) projects, and criminal history records improvement projects, which are eligible for a maximum of five years of funding. However, funding for these projects are also considered on a yearly basis, based on an annual evaluation of the current-year grant performance and availability of federal funds. There is never a guarantee of continuation funding for any program or project. To expand or enhance an existing program, the current level of program activity must be maintained.

IV. Distribution of Grant Funds

A minimum of 64.9 percent of South Carolina's entire allocation of JAG grant funds is required to be awarded to local programs. This allocation is referred to as the "variable pass-through requirement," and equals the local share of total criminal justice expenditures in the state. In the past, the state has awarded local units of government much more than the minimum amount specified by the pass-through requirement.

V. Matching Requirement

Grants made under the JAG program require a 10% cash match (non-federal) of total line-item costs. Federal grant funds cover 90% of the project costs. The following points should be noted regarding the non-federal match:

- A. The non-federal portion of the expenditures must be paid in cash.
- B. Existing appropriated resources available for drug law enforcement and criminal justice system improvement may not be used as matching funds. The non-federal portion of the cost of each program or project shall be in addition to funds that would otherwise be made available by the recipient of the grant funds. Federal funds may not be used to supplant state or local funds.
- C. A state agency or local unit of government can use drug-forfeiture funds as match. In addition, program income generated by prior or existing grants may be used as cash match upon proper notification to the Office of Accounting-Grants, S.C. Department of Public Safety.
- D. Expenditures need to be charged proportionately to the federal and non-federal funds over the life of the project with a line-item match.

VI. Guidelines for the Use of Grant Funds

A. Allowable Expenses:

- 1. Personnel, training as a component of an overall program, equipment, and supplies are allowable expenses if they are related to the authorized program areas. All expenditures must be related to the implementation of an actual program. This program must be defined in the program narrative sections of the application.
- 2. All grant-funded personnel must have one hundred percent of their time dedicated to grant activities (See also all non-supplanting provisions in the Grant Terms and Conditions).

B. Unallowable Expenses:

- 1. JAG funds may not be used (directly or indirectly) for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Additionally, JAG funds may not be used (directly or indirectly) to pay for any of the following items:
 - Vehicles (*excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters)
 - Luxury items

- Real estate
- Construction projects
- Any similar items

* JAG funds may purchase police cruisers (marked or unmarked). For the purposes of this grant program, a police cruiser is defined as a vehicle that is used in the ordinary course for performing routine patrolling duties. Depending on the jurisdiction, a police cruiser could include sedans, sport utility vehicles (SUVs), motorcycles, segways, etc. The purchase of any other police vehicle (e.g., pick-up trucks, passenger vans, command centers, etc.) is unallowable.

2. Any expenditure that is not a part of an approved program or project (within the authorized program areas) is unallowable.
3. Grant funds may not be used to supplant existing state or local criminal justice funds. Any grant expenditures must increase the existing amount of funds available for eligible activities.
4. "Buy money" used in narcotics enforcement is an unallowable expense.
5. JAG funds may not be expended to purchase, lease, rent, or acquire any of the following: ammunition, association fees, vehicle insurance and maintenance.

C. Financial Requirements

An assurance that JAG funds will not be used to supplant local funding must be provided in the application as stated in Grant Terms and Conditions. This certification attests that federal funds will be used to supplement existing funds for program activities, not replace funds already appropriated for the same purpose. Potential supplanting will be the subject of post-award monitoring and audit. If there is a potential presence of supplanting, the applicant or subgrantee will be required to supply documentation demonstrating that the reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds. Violations of this requirement can result in recoupment of monies provided under this grant in addition to possible civil, and/or criminal penalties.

VII. Suspension or Termination of Funding

The SAA may suspend (in whole or in part), terminate funding for, or impose another sanction on a subgrantee for any of the following reasons:

- A. Failure to comply substantially with the requirements or statutory objectives of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, JAG Grant Program guidelines issued thereunder, or other provisions of Federal law.

- B. Failure to adhere to the standard terms and conditions or special conditions. This includes failure to comply with Certifications relating to 8 U.S.C. § 1373 & 1644, and certain other federal statutes related to immigration.
- C. Implementing substantial program changes to the extent that, if submitted originally, the application would not have been approved for funding.
- D. Failure to submit reports (programmatic and/or financial) in a timely manner.
- E. Filing a false certification in this application or other report or document.

VIII. Application and Funding Review Process

All applications, whether new or a continuation, will be reviewed equally by the Office of Highway Safety and Justice Programs staff. **Late applications will not be accepted.**

Applications are carefully reviewed to ensure that only projects with a significant chance of success are funded. The OHSJP staff use the following criteria in the development of funding recommendations for the South Carolina Public Safety Coordinating Council.

A. Documentation of need

1. Program Definition - Any funds requested must be for the implementation of a program eligible under one of the program areas. The program must address the activities as identified in the grant area selected.
2. Project Impact - The program should be designed to address the problems and needs of the area to be served. An analysis of how these problems could be improved through the project should be shown.
3. Budgetary Review - Each application will be reviewed to ensure budgetary reasonableness and allowability of costs.
4. Project Feasibility - Applicants should describe sufficiently and clearly how the project will be implemented.
5. Multijurisdictional Cooperation - Where applicable, proposals should indicate what type of coordination will be established between the applicant and other jurisdictions in the development and implementation of the project. Written agreements should be included where possible.
6. Project Evaluation - Simple, specific, and measurable objectives should be presented, and each objective must be matched with a performance indicator. The performance indicators describe how the grant's objectives will be documented

or monitored. Evaluation measures the effectiveness of your program by comparing your objectives with actual accomplishments.

- B. Geographical areas of greatest need
- C. Jurisdictions with limited resources
- D. Current or past grant performance
- E. Probability of success
- F. Projects whose goals are self-sufficient within three years
- G. Effective utilization of resources
- H. Requested grant amount

IX. Funding Priorities

The OHSJP has established the following priorities for JAG funding (Priority will be given to agencies that do not receive direct JAG awards):

- A. Child/Elder Abuse
 - a. Law Enforcement Programs
 - i. Specialized Investigators
 - b. Prosecution & Court Programs
 - i. Specialized Prosecutors
- B. Court System Efficiency
 - a. Prosecution & Court Programs
 - i. Improving Court Technology
 - ii. Improving Court Security
 - iii. Specialized Prosecutors
- C. Criminal Justice Information Systems
 - a. Planning, Evaluation, and Technology Improvement Programs
 - i. AFIS and LiveScan Devices
 - ii. Records Management Systems
- D. Domestic Violence
 - a. Law Enforcement Programs
 - i. Specialized Investigators
 - b. Prosecution & Court Programs
 - i. Specialized Prosecutors
- E. Drug and Violent Crime Enforcement
 - a. Law Enforcement/Drug Treatment and Enforcement Programs

- i. Multijurisdictional Task Forces
 - ii. Methamphetamine/Opioid Enforcement
 - iii. Gang Investigators
 - iv. Crime Scene/Forensic Investigators
 - v. School Resource Officers
- F. Law Enforcement Equipment
 - a. Law Enforcement Programs
 - b. Priority will be given to agencies that do not receive direct JAG awards
- G. Local and State Forensic Laboratories
 - a. Planning, Evaluation, and Technology Improvement Programs
 - i. Enhancement of Laboratories
 - ii. Regional Drug Analysis Laboratories

X. Additional Information Requirements and Programmatic Conditions:

A. Multijurisdictional Task Forces

All grant applications for Narcotics, Violent Crime, or Regional Multijurisdictional Task Forces must include letters of support from all agencies related to or involved in the composition, implementation, and operation of the task force, including the solicitor's office. These supporting documents are essential for consideration of funding.

Applications for Narcotics, Violent Crime, or Regional Multijurisdictional Task Forces must also be accompanied by a **draft** of the written interagency task force agreement (no signatures required on draft). The task force agreement that has been submitted must be approved by the OHSJP to ensure all issues regarding personnel, seizures and forfeitures, and program income have been addressed.

B. School Resource Officer Programs

All grant applications for School Resource Officer (SRO) Programs must include letters of support from all agencies and school districts related to or involved in the composition, implementation, and operation of the SRO program.

Applications for SRO programs must also be accompanied by a **draft** of the essential written interagency agreement between the law enforcement agency and the school district (no signatures required on draft).

Please note: should a SRO application be awarded for funding, the award notification and the grant effective date will not occur until after the start of the school year. Reallocating existing resources to assign a SRO to the school prior to the grant award is considered supplanting and will render the application void.

C. Drug Analysis Laboratories

All grant applications for Drug Analysis Laboratories must include a statement indicating intent to provide drug analysis services to all law enforcement agencies within the respective jurisdictions. These services should be provided at no cost to the agencies.

Drug Analysis Laboratory applications must also include a detailed statement indicating the proposed location of the laboratory, if funded. In addition, an estimated time frame for completion of any renovation/construction projects needed to house the drug laboratory must be included. Potential applicants should be aware of the South Carolina Department of Health and Environmental Control (SCDHEC) and Occupational Health and Safety Administration (OSHA) guidelines that govern projects of this type. Please be reminded that costs for renovation or construction are not allowable under JAG guidelines.

D. Body Armor Requirements

Please be aware that all applicants requesting ballistic-resistant and/or stab-resistant body armor must have a written "mandatory wear" policy in place for all uniformed officers. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. Applicants must submit a copy of the agency's "mandatory wear" policy signed by the head of the agency as part of its official JAG application.

If your agency participates in the Bulletproof Vest Partnership (BVP), please be aware that JAG funds cannot be used to pay for the portion of the body armor (50%) that is not covered by the BVP.

Body armor purchased with JAG funds may be purchased at any threat level, make, or model, from any distributor or manufacturer, as long as the vests have been tested and found to comply with NIJ ballistic or stab standards. In addition, all body armor purchased must be made in the United States.

XI. Notification Process

Applicants will be notified in writing by the OHSJP whether their application has been approved or denied for funding. Notices of these decisions are tentatively scheduled for publication in September/October. The FY 2020 grant period is currently scheduled for October 1, 2020 – September 30, 2021.

XII. Application Process-SCDPS Grants

The grant application must be completed using the OHSJP's web-based grants management system, "SCDPS Grants." SCDPS Grants can be accessed at <https://www.scdpsgrants.com/>, as well as through the South Carolina Department of Public Safety website at <http://www.scdps.sc.gov/ohsjp/>.

IMPORTANT NOTE! New users must submit their subgrantee user registration requests no later than Friday, March 6, 2020.

The application must be fully complete and submitted via SCDPS Grants prior to the application deadline, which is **Friday, March 20, 2020**. Supporting documents, letters of cooperation, and appendices relating to the application may be uploaded as attachments to an application on SCDPS Grants or forwarded to the address below with the **application number written on the documents**. Any supporting documentation must be **received** by the South Carolina Department of Public Safety by 5:00 PM on the application due date. Postmarked dates are not acceptable.

*Ms. Kayla Boston
S.C. Department of Public Safety
Office of Highway Safety and Justice Programs
Post Office Box 1993
Blythewood, South Carolina 29016*

Please be aware that SCDPS Grants will allow application submissions until 11:59 PM on the application due date. However, staff will not be available to assist with application questions after 5:00 PM.

For programmatic questions, you may contact Amy Free at (803) 896-8708 or Amy Kingston at (803) 896-4742. Contact Penny Baskin in Accounting-Grants for any financial questions at (803) 896-8412.

Grant Application Check List

The following items explain the standards by which each application is judged. Past experience has shown that projects are successful because one person or a group of people have identified a problem, developed a solution, and carefully designed a plan to arrive at the solution. The grant application leads the grant applicant through a structured approach to problem solving. Successful applicants use these pages to help the reviewer see the problem and easily understand the proposed solution. Please note that, if an application is missing any required information or documentation, that application may be automatically denied.

Budget and Description –

- ☐ Proposed expenditures are reasonable, adhere to application guidelines
- ☐ Equipment/personnel is documented as necessary
- ☐ Each expenditure is explained **in detail** in the budget narrative

Problem Statement –

- ☐ The problem and/or need the project will address is defined exactly as it exists in **your particular community** (focus on the needs of your area and how the project will meet those needs)
- ☐ **Local** information and statistics are provided to support the request for funding (do not use statewide information alone to support the development of a local level project)
- ☐ Existing efforts, current resources, and programs being utilized to deal with the problem are **thoroughly** addressed

Project Purpose –

- ☐ At least one distinct purpose/goal has been identified
- ☐ Project purpose/goal is S.M.A.R.T. (specific, measureable, achievable, relevant, and time-bound)

Project Objectives –

- ☐ The objectives are specific and measureable to show how the goal will be achieved
- ☐ There is at least one objective per goal listed

Performance Indicators –

- ☐ There is a performance indicator per project objective identified
- ☐ Each indicator shows how each objective will be measured and what methods will be used to evaluate progress towards achieving the objectives and goals

Training Requirement:

- ☐ A minimum of two (2) courses identified for grant-funded personnel

Project Evaluation –

- ☐ Explain who will examine the project's objectives and performance indicators

- ☐ Explain how that person will determine the extent to which the entire project has solved the stated problem
- ☐ Evaluation is supported by the performance indicators and includes a comprehensive plan to provide an overall assessment of project effectiveness

Other Relevant Requirements –

- ☐ The implementation schedule should contain information on the timing of activities
- ☐ The total project area population and number of certified officers (if applicable) must be provided and letters of support from all entities involved in multijurisdictional projects should be attached
- ☐ The name, title, address, phone, and email information must be completed on the online application for the Project Director, Financial Officer and Authorized Official. Original signatures will only be required once a grant award is made.